

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

ROBERT MAGOON, #599317

§

v.

§

CIVIL ACTION NO. G-04-355

§

DOUG DRETKE, DIRECTOR
TDCJ-CID

§

ORDER

Before the Court is the Report and Recommendation of the United States Magistrate Judge that was entered on January 4, 2006. Petitioner has filed his Objections in a timely manner.

Having given this matter *de novo* review under 28 U.S.C. § 636(b)(1)(C), this Court finds that Petitioner's Objections are without merit and that the Report and Recommendation should be **ACCEPTED**.

Accordingly, it is **ORDERED** that the Petition for a Writ of Habeas Corpus of Robert Magoon (Instrument No. 1) is **DISMISSED WITHOUT PREJUDICE** as a successive petition.

DONE at Galveston, Texas this 24th day of January, 2006.



Samuel B. Kent
United States District Judge